

Message Text

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ORIGIN ARA-10

INFO OCT-01 ISO-00 ACDA-07 CIAE-00 DODE-00 PM-04 H-01
INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15
USIA-06 IO-13 OMB-01 TRSE-00 AID-05 IGA-02 DHA-02
SSO-00 INRE-00 /086 R

DRAFTED BY: ARA/ECA:RELTZ/L/PM:TBOREK
APPROVED BY: ARA:CWBRAV
ARA/ECA:RWZIMMERMANN
OSD/ISA-IO:COL T AUSTIN
PM/SAS/SWINSHIP

-----131614Z 017364 /41

O 131523Z MAR 77 ZFF4
FM SECSTATE WASHDC
TO AMEMBASSY BRASILIA NIACT IMMEDIATE
CHMN USDEL JBUSMC BRASILIA IMMEDIATE
CHMN USDEL JBUSMC RIO DE JANEIRO IMMEDIATE
INFO USCINCSO IMMEDIATE
AMEMBASSY BUENOS AIRES IMMEDIATE
AMEMBASSY MONTEVIDEO
AMCONSUL SAO PAULO
AMCONSUL RIO DE JANEIRO

C O N F I D E N T I A L STATE 056038

E.O. 11652: GDS
TAGS: MASS, SHUM, PFOR, BR, US
SUBJECT: BRAZILIAN RENUNCIATION OF SECURITY ASSISTANCE

REF: (A) BRASILIA 1897; (B) BRASILIA 1842; (C) STATE 52925
(ALL NOTAL)

1. TO ELABORATE FURTHER ON PARA 4 REFTTEL (C); BRAZILIAN
NOTE OF MARCH 4 (DELIVERED MARCH 5) APPEARED TO REJECT ANY
U.S. "MILITARY ASSISTANCE" REQUIRING HUMAN RIGHTS REPORT ON
BRAZIL. WE REMAIN UNCERTAIN AS TO WHETHER GOB IS AWARE OF
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IMPLICATIONS OF THIS.

2. PROBLEM IS THAT HUMAN RIGHTS STATEMENT IS REQUIRED BY
SECTION 502B (B) OF FOREIGN ASSISTANCE ACT (FAA) AS PART OF
FY 1978 CONGRESSIONAL PRESENTATION DOCUMENT (CPD) FOR ANY
COUNTRY FOR WHICH SECURITY ASSISTANCE IS "PROPOSED" IN FY
1978. "SECURITY ASSISTANCE" FOR THESE PURPOSES MEANS NOT

ONLY GRANTS PROGRAMS (MAP AND IMET), BUT FMS CASH SALES AND FINANCING AS WELL. IN SHORT, FAILURE TO SUBMIT A HUMAN RIGHTS STATEMENT WOULD IMPLY A USG DECISION TO MAKE BRAZIL INELIGIBLE TO PURCHASE DEFENSE ARTICLES OR SERVICES, HOWEVER FINANCED, FROM OCTOBER 1, 1977 THROUGH SEPTEMBER 30, 1978. (ISSUANCE OF EXPORT LICENSES FOR COMMERCIALY-PURCHASED DEFENSE ARTICLES AND SERVICES WHICH DO NOT REQUIRE REPORT TO CONGRESS WOULD NOT NECESSARILY BE AFFECTED, INASMUCH AS WE CONSIDER THAT SUCH LICENSES ARE NOT "PROPOSED" IN SENSE INTENDED BY STATUTE.)

3. WE AGREE WITH EMBASSY THAT WE CANNOT APPEAR TO IGNORE BRAZILIAN NOTE, AND MUST CONVEY ITS MESSAGE TO THE CONGRESS AS CPD REVIEW PROCESS BEGINS. WE ALSO AGREE, HOWEVER, THAT IN LIGHT OF UNCERTAINTIES OVER GOB UNDERSTANDING AND INTENT, IT IS IMPORTANT TO EXPLAIN IMPLICATIONS OF PARA 2 AND GIVE GOB OPPORTUNITY TO CLARIFY INTENT OF "RENUNCIATION" IF IT SO DESIRES. WE ALSO SEE NO NEED TO FORECLOSE OPTIONS FOR NEXT 18 MONTHS, DURING WHICH BRAZILIAN ATTITUDE OR AWARENESS OF IMPLICATIONS OF THEIR STATED POSITION MAY CHANGE.

4. PART II OF CPD, CONSISTING OF 82 HUMAN RIGHTS REPORTS (INCLUDING BRAZIL), WAS FORMALLY SUBMITTED TO CONGRESS MARCH 12 (CIRCULAR SEPTEL BEING PREPARED). PART I, CONTAINING PROGRAM DATA (INCLUDING ORIGINAL FORMULATION FOR BRAZIL) IS EXPECTED TO GO FORWARD TO THE HILL SHORTLY. WE PLAN TO NOTIFY AMBASSADOR PINHEIRO ON MARCH 14 OF OUR INTENTION TO MOVE FORWARD WITHIN WEEK TO INFORM CONGRESS OF TEXT OF BRAZILIAN NOTES. (WE DO NOT PLAN TO ADD ANY CONFIDENTIAL

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DEPARTMENTAL INTERPRETATION OF THIS TEXT.)

5. WE WILL ALSO MAKE CLEAR TO AMBASSADOR PINHEIRO THAT, HOWEVER COMPREHENSIVE THE BRAZILIAN RENUNCIATION, WE CANNOT NOW PHYSICALLY ELIMINATE REFERENCES TO BRAZIL -- INCLUDING THE HUMAN RIGHTS REPORT -- FROM THE CPD. ON RECEIPT OF THE BRAZILIAN NOTE OF MARCH 4, THE CPD WAS ALREADY IN THE PROCESS OF BEING PRINTED, AND IT WAS NOT CONSIDERED FEASIBLE TO REMOVE PORTIONS AT THAT STAGE. MOREOVER, ADVANCE COPIES OF HUMAN RIGHTS SECTION HAD BEEN PROVIDED TO COMMITTEE STAFFS SEVERAL DAYS PRIOR TO GOB DELIVERY OF NOTE. FACT IS THAT CONGRESSIONAL AND PUBLIC ACCESS TO HUMAN RIGHTS REPORT ON BRAZIL CANNOT NOW BE BLOCKED.

6. IN FACE OF THIS REALITY, IF GOB WERE TO DECIDE AT ANY TIME IN NEXT YEAR THAT IT WISHES TO RETAIN CASH PURCHASE OPTION, WE WOULD HAVE COMPLIED WITH THE LEGISLATION, AND EXISTENCE OF REPORT WOULD PERMIT US TO APPROVE THIS

LIMITED FORM OF "ASSISTANCE" VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY ASSISTANCE, HUMAN RIGHTS, FOREIGN POLICY POSITION
Control Number: n/a
Copy: SINGLE
Sent Date: 13-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770086-0676
Format: TEL
From: STATE
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1977/newtext/t19770364/aaaacenr.tel
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Litigation Codes:
Litigation History:
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TAGS: MASS, SHUM, PFOR, BR
To: BRASILIA JBUSMC
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/918a24b9-c288-dd11-92da-001cc4696bcc
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